

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Charles D.Y. Sia, et al.  
Appl'n. No. : 09/055,744  
Filed : April 7, 1998  
Title : HIV-SPECIFIC CYTOTOXIC T-CELL RESPONSES  
Grp./A.U. : 1648  
Examiner : Robert D. Budens  
Docket No. : 1038-746 MIS:jb  
Date : June 19, 2002

#07  
EXT. 8mas.  
#1 Appeal  
6/29/02

fees ok - see  
mtt. Sheet

**BY FACSIMILE**

The Commissioner of Patents  
and Trademarks,  
Box AF  
Washington, D.C. 20231,  
U.S.A.

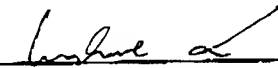
**NOTICE OF APPEAL AND REQUEST FOR EXTENSION OF TIME**

Sir:

Petition is hereby made under the provisions of 37 CFR 1.136(a) for an extension of three months of the period for response to the outstanding Office Action on this case. Our deposit account order form is enclosed in respect of the prescribed fee.

Applicant hereby appeals to the Board of Appeals from the decision of the Examiner finally rejecting claims 1, 4 to 11. Our deposit account order form includes the amount of the prescribed fees.

Respectfully submitted,

  
Michael I. Stewart  
Reg. No. 24,973

Toronto, Ontario, Canada,  
(416) 595-1155  
FAX No. (416) 595-1163

**Sim, Hughes, Ashton & McKay LLP**  
Barristers & Solicitors

**Sim & McBurney**  
Patent & Trade Mark Agents

6<sup>th</sup> Floor, 330 University Avenue  
Toronto, Ontario, Canada M5G 1R7

Tel. (416) 595-1155 • Fax (416) 595-1163

**FAX RECEIVED**

JUN 20 2002

**GROUP 1600**

**DATE: June 19, 2002**

**Application No.: 09/055,744**

**Our Ref: 1038-746 MIS:jb**

TO:	FAX #	PHONE #
Examiner: Robert D. Budens, Art Unit 1648 US Patent Office	(703) 308-4242	(703) 308-2960

Total Number of Pages (Including This Page): 6

**FROM:** Michael I. Stewart / 239

**COMMENTS:**

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application	09/055,744	
	Filing Date	April 7, 1998	
	First Named	Charles D.Y. Sia	
	Group Art Unit	1648	
	Examiner Name	Robert D. Budens	
Total Number of Pages in This Submission	4	Attorney Docket Number	1038-746 MIS

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Deposit Account Order Form
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael I. Stewart (Reg. No. 24,973)
Signature	
Date	June 19, 2002

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 

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**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**Applicant(s) **Charles D.Y. Sia**

Docket No.

1038-746 M1S

Serial No.

09/055,744

Filing Date

April 7, 1998

Examiner

Robert D. Budens

Group Art Unit

1648

Invention: **HIV-SPECIFIC CYTOTOXIC T-CELL RESPONSES****FAX RECEIVED**

JUN 20 2002

**OFFICIAL****GROUP 1600**# 27  
N/A Appeal  
& Ext. 2nd mo.  
6/27/02I hereby certify that this Notice of Appeal and Request for Extension of Time

(Identify type of correspondence)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (703) 308-4242)on June 19, 2002

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Michael I. Stewart

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	09/055,744
Filing Date	April 7, 1998
First Named Inventor	Charles D.Y. Siu
Examiner Name	Robert D. Budenz
Group Art Unit	1648
Attorney Docket No.	1038-746 MIS

TOTAL AMOUNT OF PAYMENT

\$840.00

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

Deposit  
Account  
Name

- ☐ Charge Any Additional Fee Required  
under 37 CFR §§ 1.16 and 1.17  
☐ Applicant claims small entity status  
See 37 CFR § 1.27

2. ☒ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☒ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

103 740 201 370 Utility filing fee

105 330 206 165 Design filing fee

107 510 207 255 Plant filing fee

108 740 208 370 Reissue filing fee

114 160 214 80 Provisional filing fee

SUBTOTAL (1)

920.00

### 2. EXTRA CLAIM FEES

Extra Claims

Total Claims -20\*\* = 0

Independent Claims -3\*\* = 0

Multiple Dependent

Fee from below

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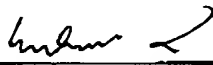
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Applicant(s): Charles D.Y. Sia,, et al.			
Title: HIV-SPECIFIC CYTOTOXIC T-CELL RESPONSES			
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